

a.) Remarks

According to the Examiner,

the reply filed on 01/30/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to indicate how the amendments made to claim 1 correspond to the elected species for the antibody VH and VL region of the restriction requirement mailed 08/16/2007. It appears that the amended claim 1 is directed to an invention that is independent or distinct from the invention originally elected for the following reasons: claim 1 of the originally elected species for an antibody VH region includes SEQ ID NO:5, SEQ ID NO:6, and SEQ ID NO:7 and the elected species for the antibody VL region include SEQ ID NO:8, SEQ ID NO:9 and SEQ ID NO:10. However, the amended claim 1 (filed 01/30/2008) now recites the antibody VH region that includes SEQ ID NO:26 and the antibody VL region that includes the SEQ ID NO:27 SEQ ID NO:28, or SEQ ID NO:29. The amendments made to claim 1 are directed to a different recombinant antibody from the one originally elected species for the antibody VL and VH regions.

That is to say, the Examiner has not accepted the amendment filed January 29, 2008 because he contends the antibody comprising VH of SEQ ID NO:26 and VL of SEQ ID NO:27, 28 or 29 is not within the scope of species selected (SEQ ID NOS:5, 6 and 7, and SEQ ID NOS:8, 9 and 10) in the response to the Restriction Requirement filed October 4, 2007.

However, Applicants respectfully submit the Examiner's statement is incorrect. Selected SEQ ID NOS:5, 6 and 7 indicate the amino acid sequences of complementarity determining region (CDR) of the H chain of the recombinant antibody of the present invention, and SEQ ID NOS:8, 9 and 10 indicate the amino acid sequences of CDR of L chain of the present invention. The other hand, SEQ ID NO:26 indicates the

amino acid sequence of VH region of the present invention, and SEQ ID NOS:27, 28 and 29 indicate the amino acid sequences of VL region of the present invention.

That is to say, the recombinant antibodies comprising VH region of SEQ ID NO:26 and VL region of SEQ ID NOS:27, 28 and 29 are included within the recombinant antibodies comprising 6 CDRs amino acid sequences of SEQ ID NOS:5, 6 and 7, and SEQ ID NOS:8, 9 and 10. See attached Figure 1 illustrating the variable region of the recombinant antibody according to the present invention.

Claims 1, 17-21, 25-28 and 31 remain presented for continued prosecution.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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